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7 UNITED STATES DISTRICT COURT  
8 CENTRAL DISTRICT OF CALIFORNIA  
9 WESTERN DIVISION  
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11 MELVIN FISHER, ) No. ED CV 08-01470-RSWL (VBK)  
12 )  
13 Petitioner, ) ORDER (1) ACCEPTING AND ADOPTING  
14 ) THE REPORT AND RECOMMENDATION OF  
15 v. ) THE UNITED STATES MAGISTRATE  
16 ) JUDGE, AND (2) DISMISSING THE  
17 WARDEN DE ROSA, et al., ) PETITION FOR WRIT OF HABEAS  
18 ) CORPUS  
19 Respondent. )  
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22 Pursuant to 28 U.S.C. §636, the Court has made a de novo review  
23 of the Petition for Writ of Habeas Corpus ("Petition"), Respondent's  
24 Motion to Dismiss, Petitioner's Motion for Stay and Abeyance,  
25 Respondent's Answer, Petitioner's Reply, all of the records herein and  
26 the Report and Recommendation of the United States Magistrate Judge  
27 ("Report").  
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